

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

JONATHAN ADAMS,

Plaintiff,

v.

Civil Action No. 2:10-0956

MARK PLANTS,

Kanawha County Prosecutor,

Defendant.

MEMORANDUM OPINION AND ORDER

This action was previously referred to Mary E. Stanley, United States Magistrate Judge, who has submitted her Proposed Findings and Recommendation (PF&R") pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B).

The court has reviewed the Proposed Findings and Recommendation entered by the magistrate judge on October 19, 2010. The magistrate judge recommends dismissal of plaintiff's complaint for, inter alia, failure to state a claim upon which relief can be granted. The plaintiff has not objected to the PF&R.¹ Following a de novo review, the court concludes that the recommended disposition is correct.

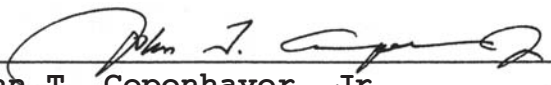
¹On October 25, 2010, the PF&R sent to plaintiff was returned as undeliverable. Since that time, plaintiff has not notified the court of any forwarding address and no other address for plaintiff has been found.

Based upon the foregoing discussion, it is,
accordingly, ORDERED as follows:

1. That the PF&R be, and it hereby is, adopted by the court and incorporated herein; and
2. That this action be, and it hereby is, dismissed with prejudice.

The Clerk is directed to forward copies of this written opinion and order to the United States Magistrate Judge, all counsel of record, and the pro se plaintiff at his last known address in case a forwarding order has been established since the last mailing from the court to him.

DATED: December 3, 2010



John T. Copenhaver, Jr.
United States District Judge